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Centers of America, Inc. and Kennewick  
6 Medical Investors LLC, d/b/a Life Care  
Center of Kennewick  
7

8  
9 UNITED STATES DISTRICT COURT  
10 EASTERN DISTRICT OF WASHINGTON  
AT SPOKANE

11 ESTATE OF MARGARETTE E.  
ECKSTEIN, by and through its  
12 Personal Representative, PATRICIA K.  
LUCKEY,

13  
14 Plaintiff,

15 v.

16 LIFECARE CENTERS OF  
AMERICA, INC., a Tennessee  
corporation; LIFE CARE CENTER OF  
17 KENNEWICK, a Washington Nursing  
Home; KENNEWICK MEDICAL  
18 INVESTORS, LLC, a Delaware  
corporation; JOHN DOES 1-10  
19 inclusively, jointly and severally liable,

20 Defendants.  
21

NO. CV-09-5022-LRS

DECLARATION OF CARMAN  
MOFFAT IN SUPPORT OF  
MOTION TO COMPEL  
ARBITRATION AND STAY  
PROCEEDINGS

22 I, Carman Moffat, do hereby declare:

23 1. I serve as the Business Office Manager for Life Care Center of  
24 Kennewick ("LCC Kennewick"). I am over the age of eighteen and competent  
25 to testify to matters herein. I have reviewed LCC Kennewick's business records  
26

DECLARATION OF CARMAN MOFFAT- 1

1 pertaining to former resident, Margarette Eckstein. Based upon this review, I  
2 have personal knowledge of the facts set forth in this declaration.  
3

4 2. Margarette Eckstein was admitted to LCC Kennewick on or about  
5 November 12, 2004.

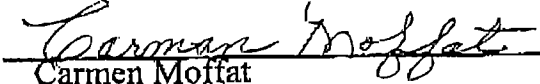
6 3. Attached hereto as Exhibit A is a true and correct copy of a  
7 document maintained in LCC Kennewick's records entitled, "Durable Power of  
8 Attorney of Margarette Eckstein."  
9

10 4. Attached hereto as Exhibit B is a true and correct copy of the  
11 Voluntary Agreement for Arbitration, signed on November 12, 2004, also  
12 maintained in LCC Kennewick's records regarding Margarette Eckstein.  
13

14 5. Upon reviewing the LCC Kennewick's business records pertaining  
15 to Margarette Eckstein, I have confirmed there is no record indicating a  
16 revocation of the attached Voluntary Agreement for Arbitration.  
17

18 The foregoing statement is made under penalty of perjury under the laws  
19 of the United States of America and the State of Washington and is true and  
20 correct.  
21

22 SIGNED at Kennewick, Washington this 16 day of April 2009.  
23

24   
25 Carmen Moffat  
26

DECLARATION OF CARMEN MOFFAT- 2

**CERTIFICATE OF SERVICE**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

Pursuant to RCW 9.A.72.085, the undersigned certifies under penalty of perjury under the laws of the State of Washington, that on the 20th day of April, 2009, the document attached hereto was presented to the Clerk of the Court for filing and uploading to the CM/ECF system. In accordance with their ECF registration agreement and the Court's rules, the Clerk of the Court will send e-mail notification of such filing to the following:

Mr. Jeff B. Crollard  
Crollard Kahn PC  
200 - 2nd Avenue W  
Seattle, WA 98118-4204  
Email: [jbc@crollardlaw.com](mailto:jbc@crollardlaw.com)

EXECUTED this 20th day of April 2009, at Seattle, Washington.

By /s/Patricia King  
Patricia King

DECLARATION OF CARMAN MOFFAT- 3